

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**MILDRED CROWDER as Personal Representative
of the ESTATE OF TIMOTHY JOHNSON, deceased**

PLAINTIFF

V.

No. 3:18-CV-00131

**CITY OF MANILA, ARKANSAS,
JARED CAMP, individually, and JACKIE HILL,
individually**

DEFENDANTS

DEFENDANTS' MOTION TO DISMISS

Come now Defendants, Jared Camp, Jackie Hill, and the City of Manila, Arkansas, by and through undersigned counsel, and for their Motion to Dismiss, state:

1. Plaintiff filed a Complaint alleging violations of the Fourth and Fourteenth Amendments to the United States Constitution, Title II of the Americans with Disabilities Act of 1990, and the Arkansas Civil Rights Act.

2. Defendants move to dismiss Plaintiff's claims against them pursuant to Fed. R. Civ. P. 12(b)(6).

3. As set forth in the accompanying brief, Officer Camp did not discriminate against Mr. Johnson within the meaning of the Americans with Disabilities Act, and Camp's use of force was constitutional within the meaning of the Fourth Amendment.

4. All the pleadings, taken together, do not state a cause of action against the Defendants. Thus, the Defendants request the Plaintiff's Complaint be dismissed with prejudice.

WHEREFORE, for the foregoing reasons and the reasons given in the accompanying Brief in Support, the Defendants respectfully request that this Court

dismiss the Plaintiff's Complaint with prejudice, and for all other just and proper relief to which the Defendants are entitled.

Respectfully Submitted,

Jared Camp, Jackie Hill, and
The City of Manila, Arkansas
DEFENDANTS

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CERTIFICATE OF SERVICE

I, John L. Wilkerson, hereby certify that on the 18th day of September 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notification of such filing to all participants listed below.

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